

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re

CLIFTON HOSPITALITY, INC.,

Debtor.

Case No. 19-11094
Chapter 11

**MOTION FOR AN ORDER TO JOINTLY ADMINISTER
CHAPTER 11 CASES PURSUANT TO F.R.B.P. 1015(b)**

Clifton Hospitality, Inc. (“Clifton Hospitality”), by and through its attorneys, Nolan Heller Kauffman LLP, respectfully applies to the Court for an Order to jointly administer Chapter 11 cases pursuant to F.R.B.P. 1015(b), and respectfully states as follows:

1. On June 12, 2019 (the “Petition Date”), Clifton Hospitality and related entities Clifton Suites, Inc.; Clifton Restaurant Group LLC; and Clifton Motel II, LLC, each filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code.

2. The Debtor is a New York corporation with its principal place of business located at 7 Northside Drive, Clifton Park, New York 12065 (the “Property”). The Debtor operates an independent, 75 room hotel at the Property. The Property is owned by Clifton Motel II, LLC (“Clifton Motel”), a separate entity with some common ownership with the Debtor and includes restaurant and banquet facilities, operated by Clifton Restaurant Group, LLC (“Clifton Restaurant”), a separate entity with some common ownership interests as the Debtor. Clifton Suites, Inc. (“Clifton Suites”) is the managing member of Clifton Motel.

3. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§157 and 1334. This is a core proceeding pursuant to 28 U.S.C. §157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§1408 and 1409.

4. By this Motion, Clifton Hospitality seeks entry of an Order directing joint administration of the Clifton Hospitality, Clifton Motel, Clifton Restaurant and Clifton Suites cases for procedural purposes only, pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

5. Bankruptcy Rule 1015(b) provides, in relevant part, that “[I]f . . . two or more petitions are pending in the same court by or against . . . a debtor and an affiliate, the court may order joint administration of the estates.” Clifton Hospitality, Clifton Motel, Clifton Restaurants and Clifton Suites are “affiliates” as that term is defined under §101(2) of the Bankruptcy Code, by virtue of the common identity of some of the members of each company. Accordingly, this Court is authorized to grant the relief requested herein.

6. Entry of an order directing joint administration of these cases will avoid duplicative notices, applications, and orders, thereby saving the debtors considerable time and expense. The rights of creditors will not be adversely affected as this motion requests only administrative, and not substantive, consolidation of the estates. Moreover, each creditor may still file its claim against a particular estate. In fact, the rights of all creditors will be enhanced by the reduced cost that will result from the joint administration of these cases. The Court also will be relieved of the burden of entering duplicative orders and maintaining duplicative files. Finally, supervision of the administrative aspects of these Chapter 11 cases by the United States Trustee for the Northern District of New York (the “United States Trustee”) will be simplified.

7. Clifton Hospitality believes the proposed motion is reasonable and justified under the circumstances.

8. Clifton Hospitality respectfully requests that the Court enter an order for the joint administration of its case with that of Clifton Motel, Clifton Restaurant and Clifton Suites, and

designate the Clifton Hospitality case (Case No. 19-11094) as the main case for filing of all motions, applications and pleadings related to either or both cases with the caption as follows:

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Case No. 19-11094
Chapter 11
Jointly Administered

WHEREFORE, Clifton Hospitality respectfully requests the entry of an Order consistent with the foregoing and granting such other and further relief as the Court may deem just and appropriate.

Dated: June 12, 2019
Albany, New York

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